

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL LEAGUE
PLAYERS' CONCUSSION INJURY
LITIGATION

No. 12-md-2323(AB)

MDL No. 2323

**Second Amended Master Administrative
Long-Form Complaint Against NFL
Defendants and (if applicable) Gary
Anderson, et al. v. National Football
League [et al.], No. 2:13-cv-2325-AB**

**IN RE: NATIONAL FOOTBALL LEAGUE
PLAYERS' CONCUSSION INJURY
LITIGATION**

JURY TRIAL DEMANDED

OPT OUT PLAINTIFF SHORT FORM COMPLAINT AGAINST NFL DEFENDANTS

1. Plaintiff Estate of George Walker, by and through its personal representative Sandra Glover, and Plaintiff Margrid Walker, the Spouse of George Walker, bring this civil action as a related action in the matter entitled IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY LITIGATION, MDL No. 2323.

2. Plaintiff(s) are filing this Short Form Complaint against NFL Defendants as required by this Court's Case Management Order, filed April 12, 2017.

3. George Walker and his Spouse opted-out of the Class Action Settlement approved by the Court on May 8, 2015.

4. Plaintiff and George Walker's Spouse incorporate by reference the allegations (as designated below) of the Second Amended Master Administrative Long-Form Complaint Against NFL Defendants, as is fully set forth at length in this Short Form Complaint.

5. Plaintiff Sandra Glover is filing this case in a representative capacity as personal representative of the Estate of George Walker, having been duly appointed as the personal representative of the Estate by the State of Michigan Probate Court for the County of Chippewa. Copies of the Letters of Authority for Personal Representative are annexed hereto.

6. George Walker was a resident and citizen of Pickford, Michigan, and claims damages as set forth below. Personal representative Sandra Glover is a resident and citizen of Algonac, Michigan.

7. George Walker's Spouse, Margrid Walker, is a resident and citizen of St. Clair, Michigan, and claims damages as a result of loss of consortium proximately caused by the harm suffered by her Plaintiff husband.

8. Upon information and belief, the Plaintiff sustained repetitive, traumatic sub-concussive and/or concussive head impacts during NFL games and/or practices. Upon information and belief, Plaintiff suffers from symptoms of brain injury caused by the repetitive, traumatic sub-concussive and/or concussive head impacts the Plaintiff sustained during NFL games and/or practices. Upon information and belief, the Plaintiff's symptoms arise from injuries that are latent and have developed and continue to develop over time.

9. The original complaint by Plaintiff(s) in this matter was filed in the United States District Court for the Eastern District of Pennsylvania. If the case is remanded, it should be remanded to N/A.

10. Plaintiff(s) claim damages as a result of [check all that apply]:

- ☐ Injury to Herself/Himself
- ☒ Injury to the Person Represented
- ☒ Wrongful Death
- ☒ Survivorship Action
- ☒ Economic Loss
- ☒ Loss of Services
- ☒ Loss of Consortium

11. As a result of the injuries to Plaintiff, Plaintiff's Spouse suffers from a loss of consortium, including the following injuries:

- ☒ Loss of marital services
- ☒ Loss of companionship, affection or society
- ☒ Loss of support
- ☒ Monetary losses in the form of unreimbursed costs expended for the health care and personal care of Plaintiff

12. [N/A] ☐ Plaintiff and Plaintiff's Spouse reserve the right to object to federal jurisdiction.

13. Plaintiff and George Walker's Spouse bring this case against the following Defendants in this action [check all that apply]:

- ☒ National Football League
- ☒ NFL Properties, LLC

14. George Walker played in ☒ the National Football League ("NFL") during the following period of time 6 years for the following teams: New York Giants (1961-65) and the Detroit Lions (1967).

15. Plaintiff retired from playing professional football after the 1967 season.

CAUSES OF ACTION

16. Plaintiffs herein adopt by reference the following Counts of the Master Administrative Long-Form Complaint, along with the factual allegations incorporated by reference in those Counts [check all that apply]:

- ☒ Count I (Declaratory Relief (Against Defendant NFL))

- ☒ Count II (Negligence (Against Defendant NFL))
- ☒ Count III (Negligent Marketing (Against all Defendants))
- ☒ Count IV (Negligence (Against Defendant NFL P))
- ☒ Count V (Negligent Misrepresentation (Against Defendant NFL))
- ☒ Count VI (Negligent Hiring (Against Defendant NFL))
- ☒ Count VII (Negligent Retention/Supervision (Against Defendant NFL))
- ☒ Count VIII (Fraud (Against all Defendants))
- ☒ Count IX (Civil Conspiracy (Against all Defendants))
- ☒ Count X (Fraudulent Concealment (Against all Defendants))
- ☒ Count XI (Wrongful Death (Against all Defendants))
- ☒ Count XII (Survival Action (Against all Defendants))
- ☒ Count XIII (Loss of Consortium (Against all Defendants))
- ☒ Count XIV (Punitive Damages under All Claims (Against all Defendants))
- ☒ Count XV (Declaratory Relief: Punitive Damages (Against all Defendants))

17. Plaintiffs assert the following additional causes of action [write in or attach]:

PRAYER FOR RELIEF

WHEREFORE, Plaintiff and Plaintiff Margrid Walker pray for judgment as follows:

- A. An award of compensatory damages, the amount of which will be determined at trial;
- B. An award of economic damages in the form of medical expenses, out of pocket expenses, lost earnings and other economic damages in an amount to be determined at trial;
- C. For loss of consortium as applicable;
- D. For punitive and exemplary damages as applicable;
- E. For all applicable statutory damages of the state whose laws will govern this action;
- F. For an award of attorneys' fees and costs;
- G. An award of prejudgment interest and costs of suit; and
- H. An award of such other and further relief as the Court deems just and proper.

JURY DEMAND

Pursuant to Federal Rule of Civil Procedure 38, Plaintiffs hereby demand a trial by jury on all issues so triable.

Dated: July 14, 2017

Respectfully submitted,

HAUSFELD LLP

By: /s/ Jeannine M. Kenney
Jeannine M. Kenney

Jeannine M. Kenney
Richard S. Lewis
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rlewis@hausfeld.com

Approved, SCAO

JIS CODE: LET

STATE OF MICHIGAN
PROBATE COURT
COUNTY OF ChippewaLETTERS OF AUTHORITY FOR
PERSONAL REPRESENTATIVE

FILE NO.

17- 27398 -DE

Estate of George M. Walker

TO:

Name and address

Sandra M. Glover

1319 S. Clair Blvd.
Algonac, Michigan 48001

Telephone no.

(810) 794-3364

You have been appointed and qualified as personal representative of the estate on 02/06/2017. You are authorized to perform all acts authorized by law unless exceptions are specified below. Date

☐ Your authority is limited in the following way:

- ☐ You have no authority over the estate's real estate or ownership interests in a business entity that you identified on your acceptance of appointment.
- ☐ Other restrictions or limitations are:

☐ These letters expire: _____

Date

2-6-17

Date

Susan Wilds

Judge (formal proceedings)/Register (informal proceedings)

Bar no.

SEE NOTICE OF DUTIES ON SECOND PAGE Susan Wilds/Register

Joseph C. Fisher

P24061

Attorney name (type or print)

Bar no.

202 E. State St., Ste. 100

Address

Traverse City, Michigan 49684

(231) 346-5403

City, state, zip

Telephone no.

I certify that I have compared this copy with the original on file and that it is a correct copy of the original, and on this date, these letters are in full force and effect.

2-6-17

Date

Susan Wilds

xxxxx

register Susan Wilds

Do not write below this line - For court use only

FILED

CHIPPEWA COUNTY PROBATE COURT
RECORDED: LIBER 11 PAGE 34
PROBATE REGISTER/DEPUTY AK

MCL 700.3103, MCL 700.3307, MCL 700.3414,
MCL 700.3504, MCL 700.3601,
MCR 5.202, MCR 5.206, MCR 5.307, MCR 5.310